

Appl. No. 10/593,757

Reply to Office Action mailed December 19, 2007

R E M A R K S

In the first paragraph on page 2 of the December 19, 2007 NOTICE, the Examiner states the following:

"The reply filed on 11/14/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant indicates that claims 18 and 19 should have been included in Group I, however, claim 18 is incomplete and claim 19 is missing."

Upon inspection of the Image File Wrapper on the USPTO website for the above-identified application, it appears that pages 8 to 10 of applicants' PRELIMINARY AMENDMENT filed December 8, 2006 are missing. Pages 8 to 10 of applicants' PRELIMINARY AMENDMENT filed December 8, 2006 included (i) the remainder of claim 18 and (ii) claim 19.

The full 12 pages of the PRELIMINARY AMENDMENT filed December 8, 2006 (a copy of which is enclosed) was received by the USPTO on December 8, 2006 (see the enclosed copy of the USPTO Auto-Reply Facsimile Transmission dated December 8, 2006).

It appears that the USPTO neglected to scan pages 8 to 10 of applicants' PRELIMINARY AMENDMENT filed December 8, 2006.

It is respectfully requested that applicants' complete PRELIMINARY AMENDMENT filed December 8, 2006 be entered.

In view of the above, it is respectfully submitted that

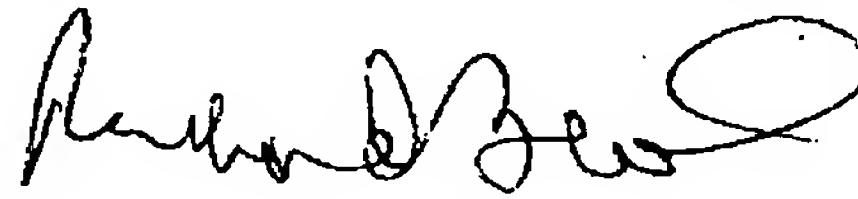
Appl. No. 10/593,757  
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applicants' RESPONSE TO RESTRICTION REQUIREMENT filed on  
November 14, 2007 was fully compliant.

The Examiner is respectfully requested to proceed with the  
examination of the application on the merits.

Frishauf, Holtz, Goodman  
& Chick, P.C.  
220 Fifth Ave., 16th Floor  
New York, NY 10001-7708  
Tel. No.: (212) 319-4900  
Fax No.: (212) 319-5101  
E-Mail Address: BARTH@FHGC-LAW.COM  
RSB/ddf

Respectfully submitted,



Richard S. Barth  
REG. NO. 28,180

- Encs.: (1) copy of PRELIMINARY AMENDMENT (12 pages)  
filed December 8, 2006
- (2) copy of USPTO Auto-Reply Facsimile Transmission  
dated December 8, 2006

o-reply fax to +1 212 9 5101 COMPANY:

DEC 21 2007

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at +1 212 319 5101

Fax Information

Date Received:

Total Pages:

12/8/2006 2:10:03 PM [Eastern Standard Time]

12 (including cover page)

COPY

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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Cover  
Page

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DEC 8 2006 2:10PM +1-212-319-5101 customer: 01933		LC 4265 P. 1
<p><b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b></p> <p>Serial No. : 10/593,757</p> <p>Applicants : Masaru KIMURA et al</p> <p>Filed : September 22, 2006</p> <p>For : HEAT- OR SINGLET OXYGEN-GENERATING AGENTS AND CANCER TREATMENT</p> <p>Art Unit : 1651</p> <p>Docket No. : 06662/HG</p> <p>Customer No. : 01933</p> <p>Confirm No. : 9122</p>		
<p><b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> PTO NO. 1-571-273-8000</p> <p>TOTAL PAGES: 12</p> <p>I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date noted below.</p> <p><i>Richard E. North</i> Attorney: Richard E. North</p> <p>Dated: December 8, 2006</p> <p>In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a petition for the requisite extension of time, and to the extent not covered by Form PTO-2028 attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 16-1078.</p>		
<p><b>PRELIMINARY AMENDMENT</b></p> <p>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>S I R :</p> <p>Please amend the above-identified application as follows:</p> <p>Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.</p> <p>Remarks begin on page 7 of this paper.</p>		